

**Equal Employment Opportunity Data Posted
Pursuant to the No Fear Act:
Department of Health and Human Services
National Institutes of Health
For the 1st Quarter Period ending December 31, 2004**

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data				
Complaint Activity	2005	Previous Fiscal Year Data				
	1st Qtr	2004	2003	2002	2001	2000
Number of Complaints Filed in FY 1614.704(a)	14	66	64	66	56	91
Number of Complainants 1614.704(b)	14	62	64	45	52	73
Repeat Filers 1614.704(c)	0	4	0	1	2	5

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data				
Complaints by Basis	FY 2005	Previous Fiscal Year Data				
	1st Qtr	2004	2003	2002	2001	2000
Race	9	36	33	34	46	85
Color	3	7	5	9	0	0
Religion	1	4	6	13	9	0
National Origin	2	9	6	4	24	17
Sex (including complaints filed under Equal Pay Act)	4	22	39	42	42	66
Disability	1	13	39	23	34	63
Age	5	22	28	30	37	44
Reprisal	7	35	63	52	57	45
Other	0	2	N/A	N/A	N/A	N/A

29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data					
Complaints by Issue		Previous Fiscal Year Data					
	2005						
	1st Qtr	2004	2003	2002	2001	2000	
Appointment/Hire	1	5	2	2	0	0	
Assignment of Duties	2	14	2	6	18	28	
Awards	1	6	4	3	5	7	
Conversion to Full-time	0	0	0	0	0	0	
Disciplinary Action							
Demotion	0	2	1	0	0	0	
Reprimand	0	3	6	5	12	18	
Suspension	1	1	4	6	8	3	
Removal	0	7	0	0	5	0	
Other	0	0	0	0	0	0	
Duty Hours	0	2	0	2	2	0	
Evaluation Appraisal	2	6	4	2	9	18	
Examination/Test	0	0	0	0	0	0	
Harassment							
Non-Sexual	4	21	17	7	22	55	
Sexual	1	1	1	2	7	12	
Medical Examination	0	0	0	0	0	0	
Pay (Including Overtime)	2	3	1	2	3	5	
Promotion/Non-Selection	1	19	16	33	46	42	
Reassignment							
Denied	0	2	0	0	0	0	
Directed	1	5	1	4	12	5	
Reasonable Accommodation	1	6	3	1	5	23	
Reinstatement	0	0	1	0	0	0	
Retirement	0	0	1	0	0	0	
Termination	1	0	8	6	5	22	
Terms/Conditions of Employment	3	11	13	0	14	9	
Time and Attendance	1	6	2	2	19	23	
Training	2	4	1	1	9	3	
Other	2	0	0	0	46	50	

29 CFR §1614.704(f)			
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		2005 end of 1st Qtr	
		Number	Average Days
All complaints pending in investigative stage (initial or supplemental)	1614.704(f)(1)	21	173
All complaints awaiting any type of Final Agency Action		13	438
All complaints pending in which EEOC hearing was not requested, hearing request was withdrawn, or complaint was withdrawn.	1614.704(f)(2)	5	129
Time in investigative stage		4	167
Time to issue Final Agency Decision or confirmation of withdrawal.		0	0
All complaints pending in which EEOC hearing was requested	1614.704(f)(3)	29	472
Time in investigative stage		28	207
Time to issue Final Agency Order after receipt of AJ decision.		1	1521
Time case pending at EEOC where AJ decision not yet issued		0	0

29 CFR §1614.704(g)		29 CFR §1614.705 Comparative Data				
Complaints Dismissed by Agency Pursuant to 1614.107(a)		Previous Fiscal Year Data				
	2005 1st Qtr					
		2004	2003	2002	2001	2000
Total Complaints Dismissed by Agency	3	8	6	N/A	N/A	N/A
Average days pending prior to dismissal	60	173	68	N/A	N/A	N/A

29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
Total Final Agency Actions Finding Discrimination			Previous Fiscal Year Data									
	2005		2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	2	100	0	0	1	100	0	0	0	0	0	0
Without Hearing 704(h)(2)	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing 704(h)(3)	2	100	0	0	1	100	0	0	0	0	0	0

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	2005		Previous Fiscal Year Data									
	1st Qtr		2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	8	100	0	0	2	100	0	0	0	0	0	0
Number Findings Rendered Without Hearing 704(i)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered After hearing 704 (I)(3)	8	100	0	0	2	100	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	1	12.5	0	0	0	0	0	0	0	0	0	0
National Origin	2	25	0	0	0	0	0	0	0	0	0	0
Sex (include Equal Pay Act)	2	25	0	0	1	50	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Age	2	25	0	0	0	0	0	0	0	0	0	0
Reprisal	1	12.5	0	0	1	50	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	2005 end of 1st Qtr		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data				
Complaints Pending From Previous Fiscal Years by Status	2005	Previous Fiscal Year Data				
	1st Qtr	2004	2003	2002	2001	2000
Total complaints from previous Fiscal Years 704(k)(1)	68	65	95	66	159	186
Total Complainants 704(k)(2)	62	60	79	45	N/A	N/A
Number complaints pending [as of 9/30]: 704(k)(3)						
Investigation	21	24	32	32	105	162
ROI issued, pending Complainant's action	5	4	N/A	N/A	N/A	N/A
Hearing	29	31	50	25	39	7
Final Agency Action	13	6	13	9	15	17
Appeal with EEOC Office of Federal Operations	2	3	N/A	N/A	N/A	N/A

29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data				
Complaint Investigations	2005 end of	Previous Fiscal Year Data				
	1st Qtr	2004	2003	2002	2001	2000
Number Pending Completion of Timely Investigation	21	24	32	32	105	162
Pending Investigations Over Required Time Frames	4	7	20	11	20	14

Departmental Reimbursement to Judgment Fund	FY 2005 1st Qtr	
	Court Judgments	Settlements
Number of cases	0	0
Total reimbursement amount	0	0
Of that, amount paid as attorney's fees/costs	0	0
Total number of Complainants involved	0	0
Days from receipt of billing notices until payment made to Treasury	0	0